

United States District Court
Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

5/21/19

Thomas O'Rice

SEAN F. MCAVOY, CLERK

United States District Court Judge
920 West Riverside, Room 840
P.O. Box 1493
Spokane, WA 99210

RE: 4:19-CV-05055-TOR Downing v. State of Washington

Honorable Mr. O'Rice,

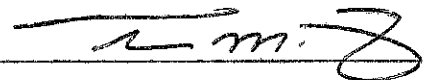
The right to challenge an unlawful detention by writ of habeas corpus is guaranteed by the United States Constitution (Article I, Section 9).

It is alleged that the Petitioner's federally conferred Constitutional rights have been violated by the State of Washington, therefore, Petitioner asks the court to order Respondent to present the Bill of Indictment of a Grand Jury causing the order of Petitioner's arrest and detainment, in accordance with Amendment V of the United States Constitution and the Laws of the United States. If the Respondent cannot provide the legal cause for Petitioner's restraint, Petitioner asks the court to order his immediate release. Because detaining a person in the absence of any legal authority to do so is illegal detention, Petitioner is entitled to the immediate release from confinement.

This writ of habeas corpus is an original action. It is not an appeal or a mechanism requesting the review of Petitioner's judgment of conviction. Therefore, the right to proceed may not be conditioned upon the exhaustion of any other remedy. If Respondent cannot provide a legal cause (Bill of Indictment from a Grand Jury) for Petitioner's arrest and detainment, then the subsequent "fruits" obtained as a result of the unconstitutional arrest (ie. Conviction and imprisonment) are then also rendered Unconstitutional, as they are tainted by the illegality of the way in which they were obtained.

Petitioner asks the Court or Judge to proceed in a summary way to determine the cause of the restraint and to take immediate and appropriate action in the absence of legal cause for arrest and detention.

Thank you for your time & attention,



Tanawah M. Downing

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